
**AMENDMENT TO THE DRAFT CONCEPTUAL
RESTORATION PLAN FOR THE CLARK FORK
RIVER AND BLACKFOOT RIVER NEAR
MILLTOWN DAM**

Prepared By:

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And

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The State of Montana, in consultation with the U.S. Fish and Wildlife Service (USFWS) and the Confederated Salish and Kootenai Tribes (CSKT), has prepared this amendment to the *Draft Conceptual Restoration Plan for the Blackfoot River and Clark Fork River Near Milltown Dam (DCRP)*. The *DCRP* was released for public review and comment in May 2003. Under this Amendment, the restoration actions outlined in the *DCRP* will be separated into three restoration projects. The restoration plan, as described in the *DCRP*, for the four river reaches, CFR1, CFR2, CFR3 and BFR1, will be undertaken concurrently with EPA's remedial action and will comprise one restoration project. The restoration plans for the other two reaches, the CFR4 and BFR2, will make up the other two projects and need not be undertaken concurrently with the remedial action. This amendment to the *DCRP* is necessary and appropriate as a result of the following: (1) comments received during the public review period; (2) the "Stipulation" filed with the federal bankruptcy court in Delaware, which contemplates integration of the restoration work with remediation at the Milltown site; (3) additional restoration design and cost information; and (4) EPA's revised proposed remediation plan, which was released on May 17, 2004. Further changes in the *DCRP* are expected once the Phase II data collection, analyses and design process is completed by early 2005.

The Stipulation that was reached between the State of Montana, the United States, the CSKT, the Atlantic Richfield Company (ARCO), and the NorthWestern Corporation (NWC) (collectively "the Parties") contemplates the integration and synchronous completion of the *DCRP* and remediation within the remediation project area.¹ This area extends upstream from Milltown Dam to Duck Bridge on the Clark Fork River and to the Interstate 90 Bridge on the Blackfoot River. In this area, EPA proposes to require ARCO and NWC to remove contaminated sediments, to complete certain reclamation actions, and to remove the Milltown Dam spillway and radial gate. The Stipulation and the revised proposed remediation plan further contemplate, as a result of integrating the restoration and remediation plans, the removal of the dam's powerhouse, divider block, and north abutment, and the grading of a floodplain and excavation of a new Clark Fork River channel to the specifications of the *DCRP*. (See the attached figure from the revised proposed remediation plan.)

The separation of restoration actions into three projects is necessary for efficiency, cost savings, and technical integrity and in order to coordinate and integrate restoration with remediation. The four river reaches, CFR1, CFR2, CFR3 and BFR1, are partially or entirely within the remediation project area and encompass the area directly affected by the dam. Accordingly, restoring these reaches separately is also consistent with the decommissioning of the dam under the FERC process. The estimated cost for implementing the *DCRP* within these

¹ The Stipulation remains subject to: (1) approval by the bankruptcy court; (2) the successful completion and agreement among the Parties of a consent decree that incorporates the terms of the Stipulation; (3) approval of the consent decree, after public comment, by the federal district court in Montana; and (4) the approval by the Federal Energy Regulatory Commission (FERC) hydropower dam license surrender application, which would presumably seek approval of the terms of the consent decree that are relevant to dam decommissioning.

four reaches has been reduced from \$27.5 million to approximately \$11.5 million. This reduced estimate resulted from new cost estimates provided by ARCO's contractor Envirocon and the State's consultants, and cost savings to be achieved by integrating the restoration and remediation actions. Of this \$11.5 million, NWC in the Stipulation has agreed to pay \$3.9 million for restoration within the remediation project area. With this payment from NWC and the cost savings derived from integration of the two plans, the net restoration cost to the State within the remediation project area is expected to be zero. The net cost to the State for restoration work in the portions of CFR1, CFR3 and BFR1 outside of the remediation project area is expected to be approximately \$7.6 million. The revised, estimated restoration costs for the four reaches are as follows:

| PROJECT: Milltown Draft Conceptual Restoration Plan | | | | | DATE: Revised 5/17/04 |
|---|--------------------|--------------------|--------------------|--------------------|-----------------------|
| DESCRIPTION: Revised Restoration Costs for Four Reaches | | | | | |
| REACH | BFR 1 | CFR 1 | CFR2 | CFR 3 | TOTAL |
| Within Remediation Work Area | \$526,970 | \$532,692 | \$2,863,606 | \$0 | \$3,923,268 |
| Outside Remediation Work Area | \$1,640,590 | \$1,118,836 | \$0 | \$4,818,942 | \$7,578,368 |
| TOTAL | \$2,167,560 | \$1,651,528 | \$2,863,606 | \$4,818,942 | \$11,501,636 |

In order to complete the restoration work in CFR1, CFR2, CFR3 and BFR1, the Phase II data collection effort will focus on selection of the appropriate upstream location on each river to begin the restoration work. It will be necessary to select locations that are stable (i.e., not moving over time) in order to protect the stability of the downstream restoration work. The Phase II data collection and analysis will include portions of all of the reaches originally proposed for restoration in the *DCRP* in order to determine the risks of delaying or not extending restoration into or throughout CFR4 and BFR2.

The Trustees still intend that CFR4 and BFR2 be restored to the extent appropriate based upon the goals and objectives set forth in the *DCRP*. However, as the *DCRP* recognized, it is not necessary to coordinate the restoration of CFR4 and BFR2 with remediation; thus, there is more flexibility in the scheduling, design, and implementation of their restoration. Furthermore, technical comments were received during the public comment period that question the level of restoration proposed for CFR4 and BFR2, and suggest that these reaches, particularly CFR4, are currently relatively stable, with well-established vegetation and habitat. There are also access and other legal uncertainties involving these reaches, particularly BFR2. During the Phase II process, the State and other Trustees will refine the conceptual design and further address the need for restoration work in these two reaches. Restoration work deemed necessary or appropriate in BFR2 and CFR4 will be most likely implemented after completion of restoration work in the four lower reaches.

Removal of Stimson Dam, which is located in BFR2, is necessary to ensure fish passage up the Blackfoot River. It is understood that the USFWS will lead a separate project that will remove Stimson Dam in coordination with EPA's remediation and the State's restoration actions. Consequently, by this amendment, the State is deleting that portion of the *DCRP* that provides for the removal of Stimson Dam. The current schedule contemplates that Stimson Dam will be removed prior to the removal of Milltown Dam. Otherwise, removal of Milltown Dam would

lower the water level at the Stimson Dam causing it to become a fish passage barrier and to become unstable.

The combined restoration costs for CFR4 and BFR2, estimated in the *DCRP* at approximately \$11 million, will likely be reduced after the completion of the Phase II process, including a closer examination of the level of work that may be necessary in these reaches. Restoration of BFR2 and CFR4 may be funded through the normal UCFRB Restoration Fund grant process or from other sources. Any work in these two reaches would be coordinated with the restoration work in the lower reaches.

The following is a revised schedule for the restoration work described in the *DCRP*:

Revised Milltown Restoration Plan Schedule

| Reach | Year Work to Begin |
|---------------|-----------------------------------|
| BFR 1 (lower) | 2005/06, dependent on dam removal |
| CFR3 | 2007 |
| CFR2* | 2008 |
| CFR1* | 2009 |
| BFR1 (upper) | 2009 |
| BFR2 | 2007 or later |
| CFR4 | 2007 or later |

*This Schedule is dependent on remediation work being completed within the remediation project area.

For more information regarding this amendment to the *DCRP*, please contact:

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